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SEP 20 2005

AFTER HOURS DEPOSITORY  
Thomas M. Gould, Clerk  
U. S. District Court  
W. D. OF TN, Memphis

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**CORY WILES, individually and on behalf  
of himself and all persons similarly situated,**

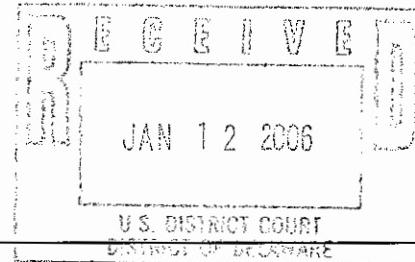
05 - 914

**Plaintiff,**

v.

**No. 05-2605 B/An**

**INTEL CORPORATION, a Delaware  
Corporation,**

**Defendant.**

**NOTICE OF FILING OF DECLARATION OF ISABELLE HURTUBISE IN SUPPORT  
OF MOTION TO STAY AND TRANSFER PLAINTIFF'S MOTION TO REMAND**

PLEASE TAKE NOTICE that Defendant Intel Corporation is filing the Declaration of Isabelle Hurtubise in support of its Motion to Stay and Transfer Plaintiff's Motion to Remand. A copy of the declaration is attached as Exhibit 1.

Dated September 12 2005.

Respectfully submitted,

BURCH, PORTER & JOHNSON, PLLC

*Jef Feibelman / by Mary Hale*  
 Jef Feibelman (#7677)      Mary Hale (#21878)  
 130 North Court  
 Memphis, Tennessee 38103  
 Telephone: 901.524.5000  
 Facsimile: 901.524.5024

OF COUNSEL:

David M. Balabanian (CA# 37638)  
Christopher B. Hockett (CA# 121539)  
Joy K. Fuyuno (CA # 123890)  
BINGHAM McCUTCHEN LLP  
Three Embarcadero Center  
San Francisco, CA 94111-4067  
Telephone: 415.393.2000  
Facsimile: 415.393.2286

Richard Ripley (DC# 412959)  
BINGHAM McCUTCHEN LLP  
1120 20th Street, NW, Suite 800  
Washington, DC 20036  
Telephone: 202.778.6150  
Facsimile: 202.778.6155

Attorneys for Defendant Intel Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served via U.S. Mail, postage prepaid, B.J. Wade, Esq., Glassman, Edwards, Wade & Wyatt, P.C., 26 North Second Street, Memphis, Tennessee, 38103, on this 20<sup>th</sup> day of September 2005.

Jeff Feibelman / by Mary Falb  
Jeff Feibelman

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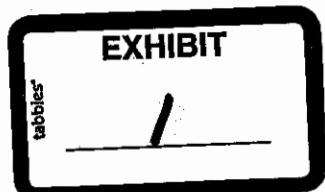
**No. 05-2605 JDB**

**INTEL CORPORATION, a Delaware  
Corporation,**

**Defendant.**

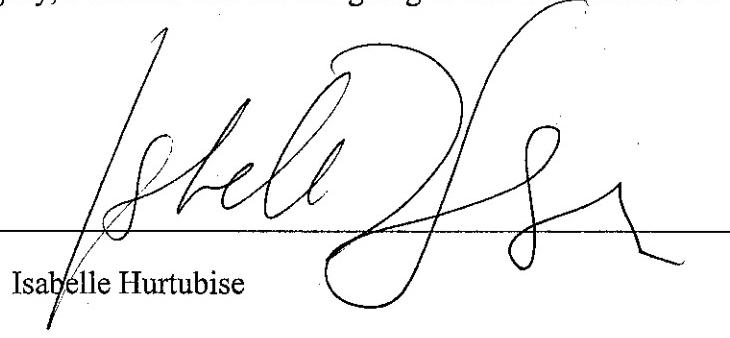
**DECLARATION OF ISABELLE HURTUBISE**

1. My name is Isabelle Hurtubise. I am an attorney at the law firm of Bingham McCutchen LLP. I am over the age of 18 and competent to give testimony. If called upon, I would testify on the facts set forth in this declaration.
2. I am counsel to defendant Intel Corporation in the above-styled action.
3. As of the date of this declaration, there have been 69 putative class actions filed in multiple federal courts against Intel over the last two months alleging essentially word for word facts and similar (federal and state) antitrust claims. *See Attached Exhibit A, List of Related Actions.* All of these cases were originally filed in federal court by the plaintiff except for *Wiles*.
4. Fifty-three of the Related Actions also seek to assert Tennessee Antitrust Act (Tenn. Code Ann. § 47-25-101A) claims against Intel on behalf of the same alleged class of Tennessee consumers. Twenty-three of those actions were filed before *Wiles* commenced this action.



5. All of these cases, including *Wiles*, are subject to a petition before the JPML to transfer and consolidate these actions to a single MDL court pursuant to 28 U.S.C. § 1407. The proceeding has been entitled *In Re Microprocessor Antitrust Litigation*, MDL 1717, and JPML will hear arguments with respect to it on September 29, 2005, in Asheville, North Carolina. The districts suggested to the JPML as the potential MDL courts are: (1) the District of Delaware; (2) the Southern District of California; and (3) the Northern District of California. This District has not been mentioned as a possible venue by any of the parties in the actions subject to the MDL 1717 Petition. Plaintiff Wiles has not indicated whether his counsel will appear at this hearing.

6. Under the penalties of perjury, I declare that the foregoing is true and accurate to the best of my knowledge.



Isabelle Hurtubise

Dated: September 19, 2005